

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Ronald Fleming)

Plaintiff)
vs.) No. CA 02-164 Erie
Superintendent Wolfe, et al)

Defendants)

HEARING ON October 18, 2005 Bench Trial

Before U. S. Magistrate Judge Susan Paradise Baxter

Ronald Fleming, pro se _____ Kemal Mericli, Esq., Attorney Gen. Off. _____

Appear for Plaintiff _____ Appear for Defendant _____

Hearing Begun 9:30 a.m. _____ Hearing Adjourned to 4:23 pm _____

Hearing concluded C.A.V. _____ Stenographer Denise Grill _____
CD: _____ Index: _____

WITNESSES

For Plaintiff

For Defendant

Evidence presented; admitted into record. Testimony
taken from 12 witnesses (excluding Plaintiff). Court
will review all evidence; testimony and issue
a written Findings of Fact and Conclusions of Law.

UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF

PENNSYLVANIA

Ronald Fleming

EXHIBIT AND WITNESS LIST

V.

Case Number: CA 02-164 Erie

Superintendent Wolfe, et al

PRESIDING JUDGE Susan Paradise Baxter					PLAINTIFF'S ATTORNEY Ronald Fleming, pro se	DEFENDANT'S ATTORNEY Kemal Mericli, Esq., Attorney Generals Off.
TRIAL DATE (S) October 18, 2005					COURT REPORTER Denise Grill	COURTROOM DEPUTY Leslie R. Wallen
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
#1		10/18/05	x	✓	13 pages: Cover sheet; Misconduct report #A311185 Part I, Part II B; Part II C with additional page attached; Part II E; PRC Appeal Receipt; DC-141 dated 5/30/02; Appeal to Superintendent; Pink Misconduct Appeal to Superintendent Receipt; Memo from Superintendent Wolfe to Ronald Fleming re: misconduct #311185; Appeal to Camp Hill; Letter dated July 16, 2002 from Robert S. Bitner.	
#2		10/18/05	x	✓	20 pages: Cover sheet; Official Inmate Grievance dated 5/15/02 from Camp Hill; DC-ADM 804 Initial Review Response dated 5/31/02; Grievance Appeal to Supt. (#20767 noted) dated June 4, 2002; Pink Grievance Appeal to Superintendent Receipt dated June 6, 2002; Memo from Supt. Wolfe to Ronald Fleming re: Grievance #20767; Grievance Appeal to Camp Hill dated 6/17/02; Letter to Ronald Fleming from Tshanna C. Kyler dated June 27, 2002; Sick call request dated 7/25/02 with cash slip attached; Sick call request dated 5/14/02 with additional sheet attached; Sick call request dated 5/16/02; Handwritten sick call request dated 5/20/02; Handwritten sick call request dated 5/21/02; Handwritten medical slip dated 5/25/02; Sick call request dated 5/28/02; Sick call request dated 5/17/02; Sick call request dated 5/18/02; Sick call request dated 5/19/02; Handwritten sick call request dated 5/20/02.	
#3		10/18/05	x	✓	6 pages: Cover sheet; DC-141 number A 296503 Misconduct report dated 8/2/02 Part I, Part II B, Part II C, Part II E; PRC Appeal Receipt dated 8/9/02.	
#4		10/18/05	x	✓	11 pages: Cover sheet; Misconduct report #A 296519, dated 8/23/02 Part I, Part II C; Part 2B; Part II E; PRC Appeal Receipt dated 9/4/02; DC-141 Part III, Misconduct Appeal decision dated 9/5/02; Final level misconduct appeal to Camp Hill dated 10/3/02; Appeal to Superintendent dated 9/11/02; Memo from Supt. Wolfe to	

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST - CONTINUATION

Fleming vs. Wolfe					CASE NO. CA 02-164 Erie
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
					Ronald Fleming dated 9/12/02; Letter to Ronald Fleming from Robert S. Bitner dated
					October 22, 2002.
#5		10-18-05	x	✓	5 pages: Cover sheet; Misconduct report # A 296551, dated 8/31/02; Part I, Part II C, Part 2B, Part 2 E.
#6		10-18-05	x	✓	3 pages: Cover sheet; Sworn affidavit of Ronald Fleming dated August 2, 2003
#7		10-18-05	x	✓	10 pages: Cover sheet; Misconduct report A 592325, dated 8/11/03, Part 1, Part 2 C, Part 2 B, Part II E; DC-ADM 804, dated 9/3/03 - 5 pages total stapled together, all on Camp Hill grievance forms
#8		10-18-05	x	✓	2 pages: Cover sheet; Inmate's Request to Staff Member dated 8/12/03
#9		10-18-05	x	✓	8 pages: Cover sheet; Handwritten sheet re: Inmate Abuse Allegation Monitoring; copy of DOC Policy Statement regarding Inmate Abuse Allegation Monitoring (6 pages)
#10		10-18-05	x	✓	Video tape dated 5/14/02 "Escort to Law Library"; and "Exam in Medical Triage"
#11		10-18-05	x	✓	Video tape dated 8/23/02
A	10-18-05	x	✓		Video tape dated 5/14/02 "Escort to Law Library", and "Exam in Medical Triage"
B	10-18-05	x	✓		Video tape dated 8/23/02
C	10-18-05	x	✓		49 pages: Affidavit of Valerie Bloom, Corrections Records Specialist at SCI Camp Hill with copies of the following misconducts: A297398, A297351, A311185, A297367, A297342, A296503, A297388, A296519, and Grievance No. 28788.
D	10-18-05	x	✓		12 pages: Affidavit of Gail Kelly, Medical Records Specialist at SCI Camp Hill with copies of medical records regarding care of Ronald Fleming
E	10-18-05	x	✓		35 pages: Defendant Weaver's response to Interrogatories
F	10-18-05	x	✓		5 pages: Defendant Weaver's response to 2 nd set of Interrogatories
G	10-18-05	x	✓		15 pages: Defendant Kreider's response to Interrogatories
H	10-18-05	x	✓		15 pages: Defendant Allen's response to Interrogatories
I	10-18-05	x	✓		8 pages: Defendant Wittel's response to Interrogatories
J	10-18-05	x	✓		11 pages: Defendant Tiller's response to Interrogatories

EXHIBIT AND WITNESS LIST – CONTINUATION